

TAKAHASHI *et al.*, 09/811,606
Amdt. dated 19 October 2004
Reply to *ex parte* Quayle OA of 7 September 2004

520.39871X00/NT0318US1
Page 5

REMARKS

This Amendment is responsive to the *ex parte* Quayle Office Action identified above, and in any other manner indicated below.

PENDING CLAIMS

Claims 1-12, 15-17, 19 and 21-22 were pending, and Claim 22 was under consideration and subject to examination in the Office Action. Appropriate claims have been amended or cancelled (without prejudice or disclaimer) in order to adjust a clarity and/or focus of Applicant's claimed invention. That is, such changes are unrelated to any prior art or scope adjustment and are simply refocused claims in which Applicant is presently interested. At entry of this paper, Claims 1, 21, 26-28 and 31 remain pending for further consideration and examination in the application.

CLAIM OBJECTIONS OBIATED VIA CLAIM AMENDMENT

Claim 26 was objected to because of the Office Action concerns listed at Item 7 on page 3 of the *ex parte* Quayle Office Action. As amendments have been made where appropriate in order to address each of the Office Action listed concerns, as suggested by the Examiner in the Action, reconsideration and withdrawal of the claim objections are respectfully requested.

Applicant and the undersigned thank the Examiner for the care exercised in suggesting appropriate corrections of the informalities in the claims.

TAKAHASHI *et al.*, 09/811,606
Amdt. dated 19 October 2004
Reply to *ex parte* Quayle OA of 7 September 2004

520.39871X00/NT0318US1
Page 6

ALLOWED CLAIMS

Claims 1, 21, 26-28 and 31 are allowed in the application as indicated at Items 8/9 on page 4 of the *ex parte* Quayle Office Action. Claim 26 has been minorly amended within this paper in a manner believed not to affect an allowability thereof. Accordingly, renewal of the allowance is respectfully requested. Applicant and the undersigned respectfully thank the Examiner for such indication of allowable subject matter.

WITHDRAWAL OF CLAIMS TRAVERSED

The continued mischaracterization of ones of Applicant's claims as not being directed to the elected species of FIG.6 in the present application and the withdrawal of such claims from consideration are respectfully traversed. However, in view of the present cancellation of all such claims without prejudice or disclaimer, such rejection has presently been rendered obsolete, and accordingly, traversal arguments are not appropriate at this time. As a result of the foregoing, reconsideration and withdrawal of the double patenting rejection are respectfully requested.

The above statements and the cancellation of any claims should not be taken as any indication or admission that any characterization or withdrawal of the claims was valid, but is merely use of a procedural approach to expedited allowance and issue of the present application.

Applicant respectfully informs the Office that any/all of the withdrawn and/or cancelled claims (without prejudice or disclaimer), as well as any/all previously

TAKAHASHI *et al.*, 09/811,606
Amdt. dated 19 October 2004
Reply to *ex parte* Quayle OA of 7 September 2004

520.39871X00/NT0318US1
Page 7

unclaimed features/limitations which are supported by the present/prior applications
may be pursued in one or more timely-filed continuing applications.

ALL CLAIMS IN CONDITION FOR ALLOWANCE

In view of the fact that all non-elected/withdrawn claims have now been cancelled without prejudice or disclaimer, and in view of the fact that all remaining claims have either already been allowed or amended herein to overcome the objections thereto and place them in condition for allowance, the prompt mailing of a Notice of Allowance is respectfully requested.

RESERVATION OF RIGHTS

It is respectfully submitted that any and all claim amendments and/or cancellations submitted within this paper and throughout prosecution of the present application are without prejudice or disclaimer. That is, any above statements, or any present amendment or cancellation of claims (all made without prejudice or disclaimer), should not be taken as an indication or admission that any objection/rejection was valid, or as a disclaimer of any scope or subject matter. Applicant respectfully reserves all rights to file subsequent related application(s) (including reissue applications) directed to any/all previously claimed limitations/features which have been subsequently amended or cancelled, or to any/all limitations/features not yet claimed, *i.e.*, Applicant continues (indefinitely) to maintain no intention or desire to dedicate or surrender any limitations/features of subject matter of the present application to the public.

TAKAHASHI *et al.*, 09/811,606
Amdt. dated 19 October 2004
Reply to *ex parte* Quayle OA of 7 September 2004

520.39871X00/NT0318US1
Page 8

CONCLUSION

In view of the foregoing amendments and remarks, Applicant respectfully submits that the claims listed above application are now in condition for allowance. Accordingly, early allowance of such claims is respectfully requested.

This Amendment is being submitted prior to the shortened statutory period for response set by the *ex parte* Quayle Office Action mailed 7 September 2004, and accordingly, no Petition or extension fee is required for entry of this paper. To whatever other extent is actually necessary and appropriate, Applicant respectfully petitions for an extension of time under 37 CFR §1.136. Further, no additional (claim, etc.) fees are required for entry of this paper. Please charge any actual deficiency in fees to ATSK Deposit Account No. 01-2135 (as No. 520.39871X00).

Respectfully submitted,



Paul J. Skwierawski
Registration No. 32,173
ANTONELLI, TERRY, STOUT & KRAUS, LLP
1300 North Seventeenth Street, Suite 1800
Arlington, Virginia 22209-3801, USA
Telephone 703-312-6600
Facsimile 703-312-6666